

Plumas/Sierra Counties Pesticide Regulation Work Plan Fiscal Years 2009 - 2011

Plumas/Sierra Counties comprises over two and one-half million acres spanning over 90 miles from north to south. The counties contain three large agricultural valleys, and large tracts of forest. One licensed staff person within the Plumas/Sierra Counties Department of Agriculture Department is currently assigned to conduct pesticide use enforcement activities (spending about 650 hours each year). This staff person is also responsible for all of the other regulatory programs in agriculture and weights and measures. The department has an Agricultural Technician who is pursuing the county inspector license in pesticide use enforcement and may be able to conduct pesticide use enforcement inspections in the future. The Agricultural Commissioner/Sealer is responsible for department's administration and oversight.

The primary purpose of California's pesticide regulatory program is to regulate, and ensure proper stewardship of pesticides registered for use to assure:

- Environmental protection.
- A safe workplace for all pesticide handlers and agricultural workers.
- Pest control licensee competency and responsibility.
- The ongoing availability of pesticides essential to the production of food and fiber and the protection of public health.

Plumas/Sierra Counties Agriculture Commissioner is responsible for local enforcement of pesticide laws and regulations.

Recognizing the limited availability of Department of Pesticide Regulation (DPR) accredited continuing education hours in our area, Plumas/Sierra Counties Department of Agriculture will work to offer the local community opportunity to earn continuing education hours. The hours may be available as workshops, weed tours, and /or seminars.

Because of the limited use of pesticides in our area, keeping up with new programs, changes in programs, and new laws and regulations is our weakest point. We plan to rely on the DPR Enforcement Branch Liaison when issues arise that we are not familiar with. This is usually a result of the increased program areas that have come under the pesticide enforcement umbrella and the complexity of many of these issues. We will continue to work closely with our liaison to minimize this weakness.

Core Area Program Elements

Restricted Materials Permitting:

Limited personnel resources are best utilized by limiting the amount of office time available to the public. For the issuance of permits, appointments can be made with the Inspector almost anytime during the week that works into his/her schedule. Admittedly, this may limit public access but ensures that the best service possible is provided because

of this "one on one" permit issuance policy. Typically the inspector makes the appointments for permit issuance. Since we issue about 30 restricted materials permits each year, mostly for strychnine and phenoxy compounds, this has not resulted in any serious loss of ability for our department to effectively regulate the use of pesticides in Plumas and Sierra Counties.

With a grant provided by the pesticide mill assessment fund, Plumas/Sierra Counties Department of Agriculture has been able to obtain the Ag GIS Server and a computer capable of running the AG GIS permit program. Through detailed aerial maps, the AG GIS program is allowing the department to better assess restricted use pesticide permit applications for potential environmental impacts and California Environmental Quality Act (CEQA) equivalency.

Due to yellow starthistle control grant renewals, we anticipate significant numbers of operator identification numbers being issued for non-restricted pesticides. The participation of many landowners in the control of yellow starthistle account for the majority of operator identification numbers being issued in the two counties. The Agricultural Commissioner is in the process of becoming familiar with the AG GIS permit program and may become available to help with the issuance of permits and operator identification numbers in the future.

Site Monitoring:

Many of the reported pesticide uses are for weed control in pastureland, rangelands and timberlands with rodent control work being performed in forage crops such as alfalfa. Site monitoring will be assessed every three months and priorities adjusted accordingly. We will monitor 5% of total sites as required by regulation. High priority will be given to permits that are new to the Restricted Materials Permit system. This will allow us to better use our resources during the busy times of the year.

Compliance Monitoring Priorities:

We will evaluate compliance monitoring activities based on criteria similar to the criteria outlined above.

Our department is will be placing emphasis on pesticide use reporting. Permit and Operator Identification holders who have purchased pesticides but have not submitted pesticide use reports during the current year will have their files flagged. The following year permits will not be issued until a satisfactory accounting is made of prior year pesticide purchases and holders of Operator ID #'s will be encouraged to account for their pesticide use.

Comprehensive Inspection Plan Development:

The department plans to conduct at least 5 Pesticide Use Monitoring inspections. Past inspections will be evaluated and used to develop a comprehensive inspection plan. Most of the uses in the agricultural production lands in Plumas/Sierra Counties are for weed control, with very few "sensitive crops" surrounding the treatment area. We believe the random inspections we have done is adequate to assure compliance on these

uses. Given limited insecticide uses in the county and the nature of the insecticides that are used, we will attempt to inspect as many of these applications as possible. In a related activity, all structural branch 1 and any agricultural fumigation will be inspected. Structural pest control inspection will continue to be done when structural pest control business are observed working within the county with a county goal of at least 3 inspections per year. If any Pest Control Advisors register Plumas/Sierra Counties as the home county, we will schedule a PCA Records Inspection with the advisor. The department goals include a minimum of 10 headquarter inspections per year.

Most field crop uses are by owner operators. However, all non-compliances noted on use monitoring inspections that involves personal protective equipment with employees will be corrected at time of inspection or at a follow up inspection and will trigger a headquarters inspection. For those operations with employees that handle pesticides that haven't previously held an Operator I.D. or Restricted Material Permit will also trigger a headquarters inspection within a year.

Timber production and forestry represent a majority of the pesticide use in Plumas and Sierra Counties. These pesticide applications are typically made by professional licensed pest control operators. Past inspections have found excellent compliance. Inspections will continue to be conducted to insure compliance with laws, regulations, and worker safety. Any known pending aerial applications will trigger an inspection to ensure compliance protecting human health and environmental integrity.

Our Department will also focus on maintenance gardeners in the counties. We will be scrutinizing their businesses for compliance with licensing and registration laws and regulations. This effort will include outreach with information on licensing requirements, ensuring that worker health and safety is protected as well as the clients they serve.

Investigation Response and Reporting:

We are fortunate that very few pesticide-related illnesses or incidents occur in Plumas and Sierra Counties. However, Plumas/Sierra Counties will maintain a Complaint/Investigation log that will allow for the recording of a pesticide complaint and follow up history on any incident. Plumas/Sierra Counties will work closely with our DPR Enforcement Branch Liaison to insure that our complaint/investigation log meets the requirements of ENF 95-043. Any reported pesticide related illness or improper pesticide use complaint will be considered a top priority item and will immediately trigger an investigation by Agriculture Department staff. We will work with our DPR Enforcement Branch Liaison to assure investigations are complete and submitted as required. This includes the timely initiation and completion of non-priority episode investigations. We will begin our investigation of all incidents within 48 hours of receipt with a target of 60 days for completion and submission to DPR.

Priority episode investigation and reporting:

We will adhere to the guidelines that DPR has established for priority investigations.

Development and use of investigation plans:

We will use DPR guidance for conducting investigations.

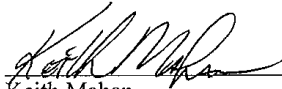
Thorough report preparation:

We will submit reports that meet DPR criteria for completion and will work with our Enforcement Branch Liaison in to ensure complete reports.

Enforcement Response Evaluation:

The Plumas/Sierra Counties Department of Agriculture is committed to evaluate our enforcement program and assure it is fair, consistent and timely. We will consider all appropriate enforcement options in our regulatory toolbox. Referral to the state will be considered where appropriate. We will assure a timely response to prevent loss of evidence and to help tie our action to the violation. Our office will have a target of 60 days for completion of our investigation and taking any enforcement/compliance action within 90 days of completion. We will respond to all violations with either a compliance or enforcement action as suggested in DPR Enforcement Guidelines. We have implemented the Enforcement Response Policy as outlined by DPR. We will use the action that will most likely ensure future compliance.

Priority will be given to those violations that pose greatest risk to people or the environment.



Keith Mahan

Plumas/Sierra Counties Agricultural Commissioner

